

DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD OF REDUCING THE HARMFUL EFFECTS OF ORALLY OR TRANSDERMALLY DELIVERED NICOTINE; the specification of which was filed on December 2, 2005 as Application Serial No. 10/559,113 and was amended on February 7, 2006.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/475,945

Filing Date: June 4, 2003

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application(s)

Application No.: PCT/US2004/016958
Status: Entered National Phase

Filing Date: May 27, 2004

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: Mark Conkling

Inventor's signature Mark A. Conkling

Date April 7, 2006

Residence: 5511 New Rise Court, Chapel Hill, NC, 27516

Citizenship: United States of America

Mailing Address: 5511 New Rise Court, Chapel Hill, NC, 27516

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

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032306



VT0B.138NP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark Conkling)
App. No. : 10/559,113)
Filed : December 2, 2005)
For : METHOD OF REDUCING THE)
HARMFUL EFFECTS OF ORALLY)
OR TRANSDERMALLY)
DELIVERED NICOTINE)
Examiner : Unassigned

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute

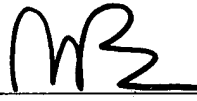
App. No. : 10/559,113
Filed : December 2, 2005

this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Vector Tobacco, Ltd.

Dated: 4/11/06

By: 
Marc Bell

Title: Corporate Counsel

Address: Liggett Vector Brands Inc.
One Park Drive, Suite 150
Post Office Box 13818
Research Triangle Park, NC 27709

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ASSIGNMENT

WHEREAS, I, Mark Conkling, a United States citizen, residing at 5511 New Rise Court, Chapel Hill, NC, 27516, have invented certain new and useful improvements in a METHOD OF REDUCING THE HARMFUL EFFECTS OF ORALLY OR TRANSDERMALLY DELIVERED NICOTINE for which I have filed an application for Letters Patent in the United States on December 2, 2005 (Application No. 10/559,113); a U.S. Provisional application on June 4, 2003 (Provisional Application No. 60/475,945); and a U.S. Application filed on May 27, 2004 (PCT/US2004/016958).

AND WHEREAS, Vector Tobacco, Ltd. (hereinafter "ASSIGNEE"), a Bermuda Corporation, with its principal place of business at Liggett Vector Brands Inc., One Park Drive, Suite 150, Post Office Box 13818, Research Triangle Park, NC 27709, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, its successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

COPY
DO NOT RECORD

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 7th day of April, 2006.

Mark Conkling
Mark Conkling

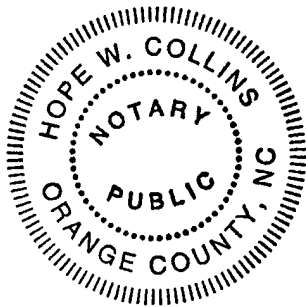
STATE OF North Carolina }
COUNTY OF Orange } ss.

On 7th April, 2006, before me, Mark Conkling, personally appeared Mark Conkling personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity(ies), and that by his signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

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Hope W. Collins
Notary Signature Hope W. Collins
Exp. July 13, 2010

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